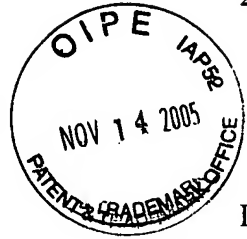


213222.00095

PATENT APPLICATION



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	:	Examiner: Unassigned
ANTHONY GERKIS, ET AL.	)	
	:	Group Art Unit: Unassigned
Application No.: 10/520,705	)	
	:	Confirmation No.: 2984
Filed: Unassigned	)	
	:	
For: SYSTEM, APPARATUS AND	)	November 14, 2005
METHOD FOR UPLINK RESOURCE :	:	
ALLOCATION	)	

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: APPLICATION BRANCH, SPECIAL HANDLING UNIT**

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
AND PETITION FOR EXTENSION OF TIME**

11/18/2005 LLANDGRA 00000038 501710 10520705

01 FC:1252 4.50 DA  
02 FC:1617 130.00 DA

Applicants petition the Commissioner for Patents to extend the time for response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) dated July 18, 2005, for two months from September 18, 2005 to November 18, 2005.

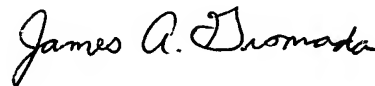
In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED

OFFICE (DO/EO/US) mailed July 18, 2005, enclosed please find an executed Declaration for Utility or Design Patent Application (37 C.F.R. § 1.63) form, an executed Power of Attorney or Authorization of Agent by Assignee of Record, and an executed Statement Under 37 C.F.R. § 3.73(b) with a copy of the Assignment. Also enclosed is a copy of the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US).

The Commissioner is authorized to charge Deposit Account No. 50-1710 for the \$450.00 extension fee, and the \$130.00 surcharge fee. The Commissioner is also authorized to charge any additional fees due with respect to this filing to Deposit Account No. 50-1710. A duplicate of this paper is attached for that purpose.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3633. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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Attorney for Applicants  
James A. Gromada  
Registration No. 44,727

PATENT ADMINISTRATOR  
KATTEN MUCHIN ROSENMAN L.L.P.  
525 West Monroe Street  
Chicago, Illinois 60661-3693  
Facsimile No.: (312) 902-1061



## UNITED STATES PATENT AND TRADEMARK OFFICE

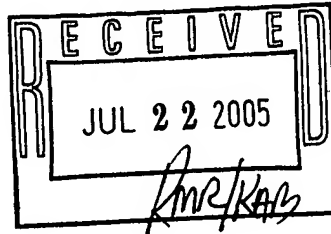
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/520,705	FIRST NAMED APPLICANT Anthony Gerkis	ATTY. DOCKET NO. 213222.00095
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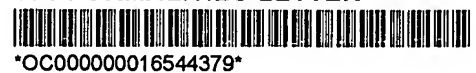
INTERNATIONAL APPLICATION NO. PCT/CA03/00999
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I.A. FILING DATE 07/08/2003	PRIORITY DATE 07/08/2002
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Patent Administrator  
Katten Muchin Zavis Rosenman  
525 West Monroe Street  
Chicago, IL 60661-3963



CONFIRMATION NO. 2984  
371 FORMALITIES LETTER



\*OC000000016544379\*

Date Mailed: 07/18/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/10/2005
- Preliminary Amendments filed on 01/10/2005
- U.S. Basic National Fees filed on 01/10/2005
- Assignment filed on 01/10/2005
- Priority Documents filed on 01/10/2005

<b>DOCKETED</b>	
CMID	
Action Type	<i>Response to NMR</i>
Due/Final Dates	<i>9/18/05</i>
Atty	<i>PBB/AJB</i> Sec
Docketed by	<i>Cike</i> Date <i>7/25/05</i>

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Additionally the following defects have been observed:

- The International Search Report has not be supplied, the basic National Filing Fee has been adjusted to reflect this omission.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,705	PCT/CA03/00999	213222.00095

FORM PCT/DO/EO/905 (371 Formalities Notice)